

REMARKS

This Amendment is in response to the Examiner's Office Action mailed on May 14, 2004 and Applicants' telephone interview with Examiner Dr. Chih-Min Kam on June 21, 2004. Claims 2, 3, 5-12, 15, 29 and 31-43 are cancelled. Claims 1, 4, and 28 are currently amended. Claims 1, 4, 13-14, 16-28, and 30 are now pending.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

I. Claim Objection

The Examiner objected to claim 28 because the claim contains recitation of non-elected anti-neoplastic agents.

Applicants respectfully traverse the Examiner's objection based on the fact that if independent claim 1 is found allowable, the genus of its dependent claims should be allowed. However, in order to expedite the prosecution of this application, Applicants have amended claim 28 to elect an antibiotic agent as the antineoplastic agent. Applicants hereby cancel claims 29 and 31-38.

In light of the above amendment, Applicants respectfully request that the Examiner withdraw the above claim objection.

II. Claim Rejection-35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 1, 4, 9-14, 16-28 and 30 under 35 U.S.C. 112, first paragraph, for lack of enablement throughout the scope of the claims.

Applicants express appreciation to the Examiners for conducting a telephone interview on June 21, 2004. During the interview, Applicants, Examiner Kam, and Supervisor Low discussed the issue of enablement of the claimed method for treating cancer. Examiner Kam and Supervisor Low agreed that independent claim 1 would be ready for allowance if Applicants identified individual species of HDAC inhibitors listed in the dependent claims.

For purposes of expediting the prosecution of this application to a letters patent, Applicants have amended independent claim 1 to list specific HDAC inhibitors as specified in claims 1, 4, 9-14, 16-28 and 30.

In light of the above amendment, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. 112, first paragraph and allow the pending claims.

III. Claim Rejection-35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claim 4 under 35 U.S. C. 112, second paragraph, as begin indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants amend claim 4 by deleting the term "and other" and therefore, respectfully request that the Examiner withdraw the rejection under 35 U.S.C. 112, second paragraph.

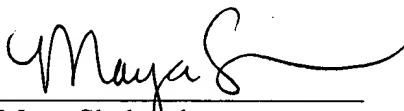
CONCLUSION

Applicants believe that they are entitled to a letters patent and respectfully solicit the Examiner to expedite prosecution of this patent to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

Date: June 23, 2004

By:



Maya Skubach
Reg. No. 52,505

WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 849-3330
Client No. 021971